

# JUDICIAL CONFERENCE

**Alternative Dispute Resolution  
Coordinating Committee**  
*Judge William D. Maddux*  
*Circuit Court of Cook County*  
*Chair*

During the 2001 Conference year, the Committee monitored both Court-Annexed Mandatory Arbitration Programs and Major Civil Case Mediation Programs. In addition, the Committee met with arbitration administrators and the supervising judges of the circuits having mandatory arbitration programs. Topics discussed at the meeting included several Supreme Court Rule amendment proposals, developing a system for feedback to address the disparity between rejected arbitration awards and resultant jury verdicts, and several programmatic issues raised by the arbitration administrators and supervising judges. Following the meeting, the Committee agreed to adopt an amendment to Supreme Court Rule 86(b) that would increase arbitration jurisdictional limits to \$50,000 or such lesser jurisdictional limits as may be implemented by local circuit option. The Committee also agreed to adopt an amendment to Supreme Court Rule 90(c) along with a proposed form that would require the plaintiff to file summary cover sheets detailing money damages incurred by category as set forth in Supreme Court Rule 90(c) (1) - (4) with language added to specify if bills had been paid or unpaid. In the area of mediation, the Committee observed the adoption of Supreme Court Rule 99 which allows circuits to undertake mediation programs with the approval and direction of the Supreme Court. The Committee reviewed Rule 99 regarding mediation and will continue to monitor existing pilot programs. The Committee also studied the area regarding the authority to provide for immunity for a mediator and forwarded to the Administrative Office of the Illinois Courts proposed language for review and consideration.

**Automation and Technology  
Committee**  
*Judge Grant S. Wegner*  
*16th Circuit*  
*Chair*

During the 2001 Conference year, the Committee reviewed computer education for judges. In particular, education pertaining to the issue of computer security was identified to be studied. A Computer Security Subcommittee was formed and a draft copy of the committee's work was submitted to the Conference for its review and comments. The Committee also formed two additional committees: New Technologies and Data Protection. Additionally, the Committee continued to monitor the effects of the Electronic Commerce and Security Act on the judiciary, reviewed the final draft of the web page, and worked toward creating a survey to identify judges' computer usage and software needs.

**Committee on Criminal Law and  
Probation Administration**  
*Judge Bertina E. Lampkin*  
*Circuit Court of Cook County*  
*Chair*

During the Conference year, the Committee reviewed proposals to adopt new or amend existing Supreme Court Rules. The Committee recommended amendments to Supreme Court Rule 604(d) and Supreme Rule 605(b) which would redefine the definition of a "negotiated plea" and use the same language to define a "negotiated plea" in both Rules. The Committee considered a proposal to adopt a new rule which would establish specific procedures for jury waivers. Although the Committee did not find it appropriate to require written jury waivers in all cases, the Committee prepared a jury waiver form that may be used at the discretion of the trial judge. The Committee also declined to recommend the adoption of a new rule which would establish procedures for verifying a defendant's waiver of the right to testify.

**Committee on Discovery  
Procedures**  
*Judge Steven R. Bordner*  
*9th Circuit*  
*Chair*

During the Conference year, the Committee discussed the problems associated with Supreme Court Rule 213 with respect to written interrogatories in the context of opinion witnesses. The Committee considered possible responses to criticisms surrounding Rule 213's disclosure requirements for opinion witnesses. The Committee also began to study discovery-related proposals concerning Supreme Court Rules 206(c), which addresses the method of taking depositions on oral examination, 201(1), which addresses whether other discovery should be conducted while a personal jurisdiction motion is pending, and 218(c), which involves pretrial procedure.

**Judicial Conference of Illinois**, consisting of eighty-two judges, is responsible for suggesting improvements in the administration of justice in Illinois. The Executive Committee, composed of the chief justice and fourteen members of the Judicial Conference, reviews recommendations of the various committees and makes recommendations to the supreme court, resolves questions of committee jurisdiction, acts on behalf of the Judicial Conference between annual meetings, and performs other duties delegated by the supreme court. The Administrative Office of the Illinois Courts serves as Secretary of the Conference.



## COMMITTEE ACTIVITIES

In 2001, the Education Committee inaugurated a new type of education program for judges, the *Illinois Advanced Judicial Academy*. With the assistance of outstanding scholars from Illinois and across the nation, the Academy's goal is to explore the law's intersections with other disciplines and their current and potential effects on the courts and the role of the judge. The first Academy's theme was "Law and Science and the Highly Effective Judge," an examination of ethical and legal issues arising from advances in biotechnology. Seventy-seven judges attended the program, which was co-sponsored by the University of Illinois College of Law. During the Conference year, the Committee also conducted a New Judge Seminar, nine regional seminars, five mini-seminars, and the annual faculty development workshop. In addition, the Committee obtained funding from the Illinois Department of Transportation to conduct a special seminar on sentencing in DUI cases. The Committee also sponsored development of a new videotape to train judges to serve as mentors in the New Judge Mentoring Program. The new videotape will be completed in 2002.

**Committee on Education**  
Judge Susan F. Hutchinson  
Appellate Court, 2<sup>nd</sup> District  
Chair

During this Conference year, the Committee produced a supplement and fourth update to the third edition of the *Illinois Manual for Complex Civil Litigation*. This year the Committee added a new section on complex employment, consumer and antitrust litigation. The Committee also created a comprehensive update for the civil manual, cumulating the previous update materials and addressing recent case law changes. Finally, the Committee produced a third update to the *Illinois Manual for Complex Criminal Litigation*, cumulating the previous update and discussing recent case law developments.

**Study Committee on  
Complex Litigation**  
Judge Philip J. Rarick  
Appellate Court, 5<sup>th</sup> District  
Chair

During the 2001 Conference year, two initiatives commanded the focus of the Committee – Volume II of the *Juvenile Law Benchbook* and the 2003 federal audit of the Illinois Juvenile Court. During the year, the Committee continued its drafting work on Volume II of the *Juvenile Law Benchbook* which will focus exclusively on cases involving allegations of neglect, abuse and dependency. The book will provide judges an overview of Juvenile Court proceedings, direct them to relevant statutory and case law, highlight recent amendments and identify areas that present special challenges to judges as they carry out their responsibilities. The Committee also had an extensive discussion concerning the anticipated 2003 federal audit of the Illinois Juvenile Court which will study compliance with federal funding mandates concerning necessary findings in juvenile cases. The Committee noted the Supreme Court's issuance of a supervisory order directing judges to comply with the federal requirements. To assist judges in complying with the Court's order, the Committee determined that it would be beneficial for judges handling juvenile matters to have uniform orders including the orders required for compliance with the federal audit. To that end, the Committee created four uniform orders intended to address each of the subjects mandated by the federal law. The Committee continued its commitment to educating Illinois judges on juvenile law issues by offering recommendations for judicial education programs to meet the demand for additional education concerning the increased complexity of the juvenile law issues. Committee members also contributed to and served on the faculty of the New Judge Seminar as well as the Juvenile Law regional seminar.

**Study Committee  
on Juvenile Justice**  
Judge John R. DeLaMar  
6<sup>th</sup> Circuit  
Chair

### Members of the Executive Committee of the Illinois Judicial Conference During 2001

Chief Justice Moses W. Harrison II, Chair  
Joseph A. Schillaci, Secretary

Judith M. Brawka, Associate Judge, 16<sup>th</sup> Circuit  
Fred S. Carr Jr., Circuit Judge, 21<sup>st</sup> Circuit  
William Cousins Jr., Appellate Judge, 1<sup>st</sup> District  
Albert Green, Circuit Judge, Circuit Court of Cook County  
Miriam E. Harrison, Associate Judge, Circuit Court of Cook County  
Thomas E. Hoffman, Appellate Judge, 1<sup>st</sup> District  
William E. Holdridge, Appellate Judge, 3<sup>rd</sup> District

Daniel M. Locallo, Circuit Judge, Circuit Court of Cook County  
Gene Nottolini, Circuit Judge, 16<sup>th</sup> Circuit  
Donald P. O'Connell, Chief Judge, Circuit Court of Cook County  
Philip J. Rarick, Appellate Judge, 5<sup>th</sup> District  
William G. Schwartz, Circuit Judge, 1<sup>st</sup> Circuit  
John P. Shonkwiler, Chief Judge, 6<sup>th</sup> Circuit